

**STATEMENT OF  
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OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE**

**BEFORE THE US SENATE COMMITTEE on  
ENVIRONMENT and PUBLIC WORKS**

**JULY 25, 2001**

Mr. Chairman, and distinguished members of this committee; it is an honor and pleasure to appear before you this morning as the nominee to be EPA's Assistant Administrator for the Office of Enforcement and Compliance Assurance. I am honored and excited that President Bush and Governor Whitman have invited me to join the Administration to improve public health and the environment in this great nation. I am especially pleased to be joined today by my daughter Sarah.

Compliance and enforcement have, and always will be, fundamental components of our national environmental program. Governor Whitman has expressed her commitment to a strong federal enforcement program and so do I. Compliance and enforcement has been a cornerstone of EPA programs to improve public health and the environment from its beginning. The American people trust and rely on EPA to protect the land, air, and water where they live. I understand this important responsibility and if confirmed will do everything in my power to meet this responsibility.

To this end, I believe my 25 years of experience in federal and state environmental regulatory agencies would prove a valuable benefit to the Administration. I started my career at EPA at a field

office conducting environmental studies and investigations. While developing permits and enforcement cases I learned first hand the importance of good science in environmental decision making. As Chief of the Water Division Compliance Section in EPA Region 5, I managed one of the most successful efforts to bring municipalities into compliance with the Clean Water Act. We set records for the most penalties and civil actions as compared to previous periods at the Region. As a result, water quality improved across the Region. The keys to this success were a clear, consistent, well publicized goal; accurate tracking of the universe of facilities; and close planning and cooperation with states and the Department of Justice.

As Director of Ohio EPA, I developed or expanded programs in pollution prevention, technical assistance and environmental education. I improved the scientific basis for environmental decision-making by establishing a program to evaluate the safety of sport-caught fish, implementing a program to evaluate the quality of all 6000 public water supplies in Ohio, placing inspectors at each of Ohio's commercial hazardous waste disposal facilities, tripling the size of Ohio's landfill inspection program and developing new protocols for monitoring the quality of wetlands. With the support of then-Governor Voinovich, we added nearly 400 new people to the Agency, half of which were placed in Ohio EPA's district offices where they conduct inspections and monitoring. We developed new programs to clean up Brownfields, manage and cleanup tire dumps, and ensure the safety of underground injection wells. On

the management side, I implemented a quality management program throughout the Agency which improved processes, performance and customer satisfaction. The program received unanimous endorsement by a public advisory group established by the general assembly. Throughout my service as Director I recognized the importance of public involvement. I expanded public involvement in the rule making and program development processes and started or supported 25 community based groups to assist the Agency in studying and improving water quality.

The real measure of success of these programs is not in the outputs but in the outcomes. During my tenure as Director, Ohio, one of the top manufacturing and energy producing states in the country, for the first time met all national air quality standards, saw a 50% reduction in toxic releases to the environment and realized a 50% increase in stream miles fully achieving fishable/swimmable Clean Water Act goals. I am proud of these accomplishments, but more still needs to be done. I look forward to bringing the knowledge gained from these successes to apply to the Office of Enforcement and Compliance Assurance.

One area I believe is especially important for the compliance and enforcement program to focus is on the coordination with the other offices in the Agency to ensure the Administration has a clear, consistent national approach to environmental protection. A clear unified approach to environmental protection helps ensure there are no surprises and no excuses to environmental compliance. Finally, I

will actively seek the involvement of the states and the public as we improve and develop new programs.

From my experience, an effective compliance and enforcement program involves far more than just enforcement orders and lawsuits. Compliance starts with a clear understanding of regulatory requirements and the time frames in which they must be met. Education and compliance assistance is needed to get the word out clearly and uniformly across the country. Incentives and voluntary programs can assist communities and businesses to achieve environmental goals in a cost effective manner. Plans, goals, tracking and accountability are essential to follow progress. States, where delegated the national program, must take the lead. But if requirements are not met, then the full range of administrative, civil, and criminal enforcement actions must be considered. If you should honor me by your confirmation, I will work to improve each of these elements and thereby improve public health and the environment in a cost effective manner.

I look forward to working with you, Governor Whitman and President Bush to make the environment better for all Americans. Thank you for the opportunity to appear before you today. I will be happy to answer any questions.